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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,)	No. CR 07-00215 JF
)	
12 Plaintiff,)	STIPULATION TO CONTINUE
13 v.)	STATUS CONFERENCE AND
)	[PROPOSED] ORDER
14 CURTIS LEIGH PARRY,)	
)	
15 Defendant.)	
_____)	

16 Defendant Curtis Parry, by and through his attorney Nicholas P. Humy and the United
17 States, by and through Assistant United States Attorney Joseph Fazioli, hereby stipulate and
18 agree to request that the Court continue the hearing currently set for Wednesday, March 25,
19 2009, in the above captioned matter to Wednesday, April 1, 2009 at 9:00 a.m. The continuance
20 is requested due to the unavailability of counsel for Mr. Parry.

21 The parties further agree and stipulate that time should be excluded from and including
22 March 25, 2009 through and including April 1, 2009, to provide counsel reasonable time to
23 prepare and for continuity of defense counsel, pursuant to Speedy Trial Act, 18 U.S.C.

24 §3161(h)(8)(A) and (B)(iv). Accordingly, the United States and the defendant agree that granting

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1 the requested exclusion of time will serve the interest of justice and outweigh the interest of the
2 public and defendant in a speedy trial.

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4 Dated: 3/24/09

/s/

NICHOLAS P. HUMY
Assistant Federal Public Defender

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6 Dated: 3/24/09

/s/

JOSEPH A. FAZIOLI
Assistant United States Attorney

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8
9 **ORDER**

10 The parties have requested a continuance of the status hearing set for March 25, 2009 due
11 to the unavailability of defense counsel.

12 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
13 presently set for Wednesday, March 25, 2009 at 9:00 a.m., be continued to April 1, 2009 at
14 9:00 a.m.

15 IT IS FURTHER ORDERED, that time should be excluded from and including March
16 25, 2009 through and including April 1, 2009, to provide counsel reasonable time to prepare and
17 for continuity of defense counsel, pursuant to Speedy Trial Act, 18 U.S.C. §3161(h)(8)(A) and
18 (B)(iv).

19 IT IS SO ORDERED.

20 Dated: 3/25/09



JEREMY FOGEL
United States District Judge